

## **IC 9-16**

### **ARTICLE 16. LICENSE BRANCHES**

#### **IC 9-16-1**

##### **Chapter 1. Operation of License Branches**

#### **IC 9-16-1-1**

##### **"Qualified person" defined**

Sec. 1. As used in this chapter, "qualified person" means any of the following:

- (1) A motor club that is any of the following:
  - (A) A domestic corporation.
  - (B) A foreign corporation qualified to transact business in Indiana under IC 23-1 or IC 23-17.
- (2) A financial institution (as defined in IC 28-1-1-3).
- (3) A new motor vehicle dealer licensed under IC 9-23-2.
- (4) Other persons, including persons licensed under IC 9-23-2 that are not covered by subdivision (3), that the commission determines can meet the standards adopted by the commission under IC 9-15-2-1(7) and the requirements for partial service contractors under section 4.5 of this chapter.

*As added by P.L.2-1991, SEC.4. Amended by P.L.179-1991, SEC.15; P.L.62-1996, SEC.5.*

#### **IC 9-16-1-2**

##### **Commission responsibilities**

Sec. 2. The commission shall operate or be responsible for the administration of all license branches in Indiana under this article.

*As added by P.L.2-1991, SEC.4.*

#### **IC 9-16-1-2.5**

##### **Reduction in number of license branches**

Sec. 2.5. The number of license branches may not be reduced in a county below the number in existence on January 1, 2001, unless the bureau holds a public hearing in the county and receives unlimited public testimony before the commissioner on the merits of closing the branch that the bureau proposes to close in the county.

*As added by P.L.176-2001, SEC.2.*

#### **IC 9-16-1-3**

##### **License branch powers, duties, and functions**

Sec. 3. (a) License branches have all the powers and duties assigned to license branches by statute and by the commissioner.

(b) The commissioner shall assign to license branches those functions that:

- (1) the commission or the bureau is legally required or authorized to perform; and
- (2) cannot be adequately performed by the commission or the bureau without assistance from the license branches.

*As added by P.L.2-1991, SEC.4.*

#### **IC 9-16-1-4**

##### **Contracts for operation; requirements**

Sec. 4. (a) The commission may contract with a qualified person for:

- (1) the operation of a full service license branch under this section; or
  - (2) providing partial services under section 4.5 of this chapter.
- (b) A contract for the operation of a full service license branch must include the following provisions:
- (1) The contractor shall provide a full service license branch, including the following services:
    - (A) Vehicle titles.
    - (B) Vehicle registration.
    - (C) Driver's licenses.
    - (D) Voter registration as provided in IC 3-7.
  - (2) The contractor shall provide trained personnel to properly process branch transactions.
  - (3) The contractor shall do the following:
    - (A) Collect and transmit all bureau fees and taxes collected at the license branch.
    - (B) Deposit the taxes collected at the license branch with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.
  - (4) The contractor shall generate a transaction volume sufficient to justify the installation of bureau support systems.
  - (5) The contractor shall provide fidelity bond coverage in an amount prescribed by the commission.
  - (6) The contractor may operate the license branch within a facility used for other purposes.
  - (7) The contractor shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis.
  - (8) The commission shall provide support systems and driver's license examiners on the same basis as state operated branches.
  - (9) The commission shall provide the same equipment to contractors as is provided to state operated branches.
  - (10) The commission must approve each location and physical facility based upon criteria developed by the commission.
  - (11) The term of the contract must be for a fixed period.
  - (12) The contractor shall agree to provide voter registration services and to perform the same duties imposed on the commission under IC 3-7.

*As added by P.L.2-1991, SEC.4. Amended by P.L.12-1995, SEC.112; P.L.62-1996, SEC.6.*

#### **IC 9-16-1-4.5**

##### **Contracts for provision of partial services at walk-up locations**

Sec. 4.5. (a) The commission may contract with a qualified person to provide partial services at a qualified person's walk-up location, including locations within a facility used for other purposes, such as

electronic titling and title application services and self-serve terminal access.

(b) A contract for providing motor vehicle registration and renewal services at a walk-up location must include the following provisions:

- (1) The contractor must provide trained personnel to properly process motor vehicle registration and renewal transactions.
- (2) The contractor shall do the following:
  - (A) Collect and transmit all bureau fees and taxes collected at the contract location.
  - (B) Deposit the taxes collected at the contract location with the county treasurer in the manner prescribed by IC 6-3.5 or IC 6-6-5.
- (3) The contractor shall provide fidelity bond coverage in an amount prescribed by the commission.
- (4) The contractor shall pay the cost of any post audits conducted by the commission or the state board of accounts on an actual cost basis.
- (5) The commission must approve each location and physical facility used by a contractor.
- (6) The term of the contract must be for a fixed period.

*As added by P.L.62-1996, SEC.7.*

#### **IC 9-16-1-5**

##### **Service charges; collection; deposit**

Sec. 5. Each license branch shall collect the service charges prescribed by IC 9-29-3 and deposited in the state license branch fund established under IC 9-29-14.

*As added by P.L.2-1991, SEC.4.*

#### **IC 9-16-1-6**

##### **Violations**

Sec. 6. A person who violates section 5 of this chapter commits a Class C infraction.

*As added by P.L.2-1991, SEC.4.*